(g) M/s. Roussel is a subsidiary company of M|s Hoechst. M/s. Hoechst holds 2/3 equity shares in M|s. Roussel as per annual report of M/s Hoechst India Ltd. for the year 1990-91.

Date of reviewing the liabilities of drug companies

1952. SHRI SANTOSH KUMAR SAHU: Will the PRIME MINISTER be pleased to state:

(a) when the decision was taken to review the liabilities of drug Companies involved in payments into the Drug Prices Equalisation Account;

(b) whether the decision was taken in 1989 or in 1990 and if the decisions were taken in both the years what is the difference in both the years;

(c) what was follow up action based on 1989 decision and who was assigned the task of review;

(d) what are the names of the concerned Joint Secretary and Deputy Secretary when 1989 decision was taken and what they have done in the matter; and

(e) whether it is a fact that in order to kill the issue they suggested the appointment of another Committee?

THE MINISTER OF STATE IN THE MINSTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) and (b) In view of the receipt of complaints alleging various acts of ommission and commission on the part of the Special Team and the Price Review Committee, it was decided in 1989 to review all their recommendations and the developments thereafter.

(c) The then Additional Secretary and Financial Adviser of the Industry Ministry was assigned the task of scrutiny of the assessments made by the Special Team.

(d) When the decision was taken in 1989, the concerned Joint Secretary was Shri R. S. Mathur, and the Deputy Secretary under him was Shri O. P. Arya.

(e) No, Sir.

Not obtaining data for regulating drugs prices

1953. SHRI H. HANUMANTHAPPA: Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 420 given in Rajya Sabha on 27th February, 1992 and state:

(a) whether portwise, importwise and companywise data are collected by the Ministry of Health and is also monitored by them;

(b) if so, why the same data are not obtained by his Ministry and used for regulating drug price instead of using average import data which are also not monitored by his Ministry;

(c) whether according to this Ministry merely FERA is not attracted, therefore, over-invoicing can be allowed;

(d) what steps have been taken to suggest amendments in the FERA to take care of such contingencies and whether his Ministry has taken up this issue with Department of Revenue pinpointing the area where action is required; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) Ministry of Health provides consolidated data in regard to imports on request.

(b) Prices of raw materials keep fluctuating due to various factors and, therefore, the only practical way to fix the prices of and product is to adopt the average price.

(c) Action can be taken on the basis of evidence. Cases of over invoicing fall under Section 8(3) and 8(4) of FERA, 1973. As already stated in answer to parts (e) and (f) of the question referred to, the enforcement Directorate did not find any evidence.

(d) and (e) Since there is no conclusive evidence available in regard to over invoicing, no action is called for.